

DOCKET NO.: 203831US6/jmh



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 2191

Masahiro FUJIHARA

SERIAL NO: 09/727,215

EXAMINER: ANIL KHATRI

FILED: November 30, 2000

FOR: INFORMATION PROCESSING APPARATUS AND INFORMATION
PROCESSING METHOD AS WELL AS PROGRAM STORAGE MEDIUM

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal.

The review is requested for the reason(s) stated on the attached sheet(s). No more than five (5) pages are provided.

I am the attorney or agent of record.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle
Registration No. 40,073

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/05)

Kevin M. McKinley

Registration No. 43,794



DOCKET NO: 203831US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
MASAHIRO FUJIHARA : EXAMINER: ANIL KHATRI
SERIAL NO: 09/727,215 :
FILED: NOVEMBER 30, 2000 : GROUP ART UNIT: 2193
FOR: INFORMATION PROCESSING :
APPARATUS AND INFORMATION
PROCESSING METHOD AS WELL AS
PROGRAM STORAGE MEDIUM

REMARKS ACCOMPANYING PRE-APPEAL BRIEF REQUEST FOR REVIEW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant respectfully requests that a Pre-Appeal Brief Conference be initiated in accordance with the pilot program outlined in the Official Gazette Notice of July 12, 2005.

Applicant submits that the applied art asserted Official Action dated August 15, 2005 fails to anticipate or make a *prima facie* case of obviousness for subject matter recited in the claims because the asserted prior art does not disclose all of the claim elements.

The pending claims stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,445,834 to Rising III.

It is respectfully submitted that Rising III does not disclose, suggest, or render obvious the features of the independent claims, which recite in part, displaying position information of a second type representative of position information relative to a point on a geographical map displayed in a position information displaying area. Although they are

different in scope, each of the independent claims recites similar features to those discussed above.

In contrast, Rising III is directed to image analysis or image processing systems in order to generate information about characteristics of an image so that the image can be classified or used to query an image database. To this end, Rising III discloses a user interface 110 which provides a means by which the user can provide image input and system configuration selection information input to the modular image storage and query system 100. Feature manager 120 uses the feature modules 125 to analyze an input image and to extract a set of image characteristics represented by a plurality of feature descriptors. The system 100 also allows a user to run a query by image content against a set of images in the database 160. The feature manager 120 invokes feature modules 125 to analyze the characteristics of the input image.

Accordingly, Rising III merely teaches selecting from a plurality of image characteristic selections represented by thumbnail icons corresponding to various image characteristics for a particular image query. The image characteristic selections are submitted to a query which prepares the various characteristic selections with a database of stored images. As such, there is no teaching or suggestion for displaying icons of a second type representative of position information relative to a point on a geographical map displayed in a position displaying area.

Rising III does not teach an icon, a graphical representation of an operation or a file. Further, Rising III does not teach a geographical map. Instead, Rising III merely teaches two mathematical matrices referred to as “Orientation Map” and “Energy Map”. The matrices are not displayed in a position information displaying area. In contrast, according to exemplary embodiments of the present invention, thumbnail icons representative of image data and position icons representative of positions on a map, are displayed in a corresponding

relationship to each other. When one of the positioned icons is selected, a corresponding one of the thumbnail icons is displayed distinctly, and when one of the thumbnail icons is selected, a corresponding one of the position icons is displayed distinctly. Consequently, a large amount of image data can be managed readily and can be displayed, according to the independent claims, on a geographical map.

Accordingly, Applicant respectfully asserts that Rising III does not anticipate the features of the claimed invention. Additionally, the features of the claimed invention are not rendered obvious by the teachings of Rising III. Applicant respectfully asserts that only the present application suggests the claimed features. Based on the above deficiencies, Applicant respectfully requests that prosecution be re-opened.

Respectfully submitted,
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000

Fax: (703) 413-2220

(OSMMN 06/04)

BDL/KMM:imh

Kevin M. McKinley
Registration No. 43,794

I:\ATTY\KMM\PROSECUTION WORK\203831\REMARKS ACC PRE-TRIAL BRIEF REQ...DOC